

INTERNAL USE ONLY
JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Thursday - 26 August 1971

1. (Unclassified - RJK) Delivered a personal letter from the Director to the office of Chairman Thomas E. Morgan (D., Pa.) of the House Foreign Affairs Committee. Also picked up from the Foreign Affairs Committee staff a copy of the letter from Representative Lee H. Hamilton (D., Ind.) to Dr. Morgan. The letter concerned Representative Hamilton's request for an Agency witness to appear before his Near East Subcommittee in September.

2. (Unclassified - PLC) A letter from a constituent was discussed with Miss Barbara Russell, in the office of Senator Edward Gurney (R., Fla.). The constituent requested information concerning the use of wiretapping by several agencies, including CIA, for a college debate. Miss Russell was advised that the Agency has no law enforcement or police powers and does not engage in wire-tapping. She was given a booklet on the origins of the Agency to send to the constituent which might give a better understanding of the role which the Agency plays in Government.

3. (Internal Use Only - LLM) Robert Horner, Senate Internal Security Subcommittee staff, asked if we could help him locate the text of a broadcast from Hanoi by [REDACTED] which occurred some time in August 1970. I told Mr. Horner that I would look into it and be back in touch. I reminded him that we had no responsibilities with respect to American citizens and he said he fully understands this.

4. (Unclassified - LLM) Craig Pettybone, Civil Service Commission, called to find out the status of the Agency's proposed funding legislation for retirement forwarded to them during the last Congress. I reviewed the situation briefly with Mr. Pettybone and told him that as far as we understand it, it's up to Civil Service, Treasury, and OMB to resolve the problem relating to the definition of "unfunded liability", and that when this is done we will be informed by OMB and will draft and submit conforming legislation.

[REDACTED]
JOHN M. MAURY
Legislative Counsel

cc: ER
O/DDCI

Mr. Houston

DDS
DDS&T

EA/DDP
OPP

DDI
[REDACTED]

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Friday - 20 August 1971

1. (Confidential - JMM) Called Michael Van Dusen, Staff Consultant to the House Foreign Affairs Subcommittee on the Near East to say that his request for an Agency witness to appear on the 21st of September would have to be cleared with Chairman Morgan, who is now in the hospital. He said the Subcommittee Chairman Hamilton will take the matter up with Chairman Morgan immediately after the current recess, and let us know the results. Meanwhile, he asked that we keep the 21st of September date open pending final decision.

2. (Unclassified - LLM) In followup of Senator Barry Goldwater's (R., Ariz.) earlier request, Mrs. Lyn Withey, permanent member of his staff, and Messrs. Stan Gray, Jim Roscoe and Tom Reavis, summer interns, visited the Agency and Mr. Maury gave a general briefing on the organization of the intelligence community and the Agency and its mission and functions. The group was genuinely appreciative and was interested in whether the Agency could undertake a more active program in getting its story across to the public, but seemed, as well, to understand the problems in doing so.

3. (Unclassified - LLM) In response to his earlier inquiry, called Mr. Keener, in the Austin office of Senator John Tower (R., Texas), and told him that former contract employee, [REDACTED] had a good record but that we did not have a suitable vacancy for rehire at this time. Mr. Keener said their primary interest in contacting us stems from [REDACTED] request to them for assistance in obtaining employment with the State Department, and they did not want to make a recommendation to State until they had checked him out.

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Wednesday - 18 August 1971

1. (Internal Use Only - JMM) Called John Brady, House Foreign Affairs Committee staff, to say I had been unable to reach Chairman Morgan who I understand will be in the hospital for the next several days at least, and until I do, we cannot respond to the request of Chairman Hamilton that an Agency witness appear before his Near East Subcommittee on 21 September. I commented that under former ground rules which I assumed remained in effect Chairman Morgan wanted us to check with him before agreeing to appear before any of their subcommittees. Brady confirmed that this was his understanding.

STATINTL 2. (Unclassified - LLM) Talked to Marlene Smith, in the office of Representative Larry Winn (R., Kansas), who asked if it was Agency policy that a secretarial applicant who failed an Agency test had to wait one year before taking the test again. Based on the advice of [REDACTED] Personnel, I told Miss Smith that the Agency's practice is to permit three tries at the skills test before recommending that the applicant attempt to improve his skills over the next six months before trying again and that in the case of failure of the aptitude test, that the applicant wait six months before attempting to take the test again. This information seemed to fully satisfy Miss Smith.

3. (Internal Use Only - JGO) Talked to Mr. Drury Blair, Senate Immigration and Naturalization Subcommittee staff, who told me that Fred Mesmer's son has arrived from Vietnam and that Mr. Mesmer will not be available during the day in the office. He suggested 10:30 tomorrow morning to which I agreed to discuss the [REDACTED] case. Mr. Mesmer will try to be with us and, if available, Mr. Courtney Pace, Administrative Assistant to Senator Eastland (D., Miss.). Mr. Blair noted in passing that Mr. Gallaher was by the office again yesterday afternoon and told me he would fill me in on the visit when we meet tomorrow. STATINTL

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Monday - 16 August 1971

1. (Confidential - JMM) Talked to Ambassador Harry Symmes, Deputy Assistant Secretary for Congressional Relations, who said he would LDX over the latest telegram from Charge Sterns in Laos regarding the visit of John Marks.

2. (Internal Use Only - JMM) Received notification of the LIG meeting in the Roosevelt Room in the White House tomorrow at 3:00 p. m. to discuss legislative matters.

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4. (Internal Use Only - JMM) Received a letter from Michael Van Dusen, Consultant to the Near East Subcommittee of House Foreign Affairs, requesting an Agency witness to testify on the general Middle East situation on 21 September 1971.

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Friday - 13 August 1971

1. (Confidential - GLC) Talked with Albert Westphal, House Foreign Affairs Committee staff, about the call I received yesterday from Mike Van Dusen (see Journal of 12 October). I told Westphal of my comment that the Director did not normally appear before subcommittees unless the request was cleared by the chairman (in this instance, Dr. Morgan). Westphal acknowledged this was the procedure under which the staff had operated in times past. He pointed out, however, that under the new rules many new subcommittee chairmen have brought in their own staffmen and the situation has been difficult to control. Westphal suggested that if we receive such a letter we advise Van Dusen that no action can be taken on the request unless it is cleared through Chairman Morgan. Westphal asked that we notify him, or in his absence Jack Brady. He is alerting Brady to the situation.

Westphal asked if we had any access to the transcript of the trial of the Lithuanian defector recently convicted by the Soviets who had attempted to jump ship and had been returned by the U.S. Coast Guard. I told Westphal I would check on this and be back in touch with him.

2. (Confidential - GLC) Talked with Colgate Prentice, State Department Legislative Liaison office, about the matter of John Marks' (on the staff of Senator Case) attempting to travel to Long Tieng. See Memorandum for the Record.

3. (Unclassified - GLC) Leonard Killgore, Administrative Assistant to Senator Barry Goldwater (R., Ariz.), called to say the Senator was most appreciative of our passing to him the Bangkok Post editorial on the U.S. Senate's attitude about Thais in Laos.

Killgore also said Senator Goldwater had personally asked us if we would give three of his congressional interns and a member of his personal staff a tour of the Agency building some time next week. We are making arrangements for them to come to Headquarters for a short visit.

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OFFICE OF LEGISLATIVE COUNSEL

Thursday - 12 August 1971

1. (Unclassified - GLC) Michael Van Dusen, Staff Assistant to Representative Lee Hamilton's (D., Ind.) Near East Subcommittee of the House Foreign Affairs Committee, called to say that he was preparing a letter on Mr. Hamilton's instructions asking that the Agency provide a witness for Subcommittee hearings on the Middle East. I advised Van Dusen of our past practice of appearing only before the full Committee as requested by Chairman Morgan. He said they were not necessarily asking that the Director appear so long as they had a qualified Agency representative. I replied again that any testimony given on the Hill was normally given by the Director but if he had a letter which he wished to send us, we would pick it up when it was ready. He said he would give us a call.

2. (Confidential - GLC) I queried Ed Braswell, on the staff of the Senate Armed Services Committee, about the Committee's proposed release of the testimony of Secretary Laird and Ambassadors Johnson and Godley on Laos. Braswell said that the release of a sanitized version of the testimony had been contemplated from the outset. He said the State Department felt that Ambassador Johnson's testimony would help to offset the impact of the Moose/Lowenstein report of the Senate Foreign Relations Committee. He added that this would be the only open testimony which the Armed Services Committee would want to use.

Braswell asked me if the Director had received a request to appear before the Senate Foreign Relations Committee on Senator Cooper's bill (S. 2224). I told him he had not. Braswell had seen the Congressional Record item stating that the Foreign Relations Committee would want hearings after the recess and we agreed to share any information we might acquire about the witnesses who would appear.

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10. (Confidential - JMM) Michael Gertner, Legislative Assistant to Senator William B. Saxbe, called to say that Senator John Sherman Cooper has asked Senator Saxbe to cosponsor Cooper's bill (S. 2224) which would require the Agency to provide intelligence information to the Congress as a whole. Mr. Gertner said he would like my views on this bill. I said I could not speak officially, but personally I found the language unclear on several points, such as the role of the Armed Services and Foreign Relations Committees facilitating the dissemination of intelligence information to the full membership, the standards which would govern access for congressional employees, and how security would be maintained. Gertner said he would bring these points to the attention of Saxbe who might take them up with Cooper. Gertner said that the Agency looked so good in the light of the "Pentagon papers" that there was an obvious feeling in the Senate that, if they had had access to Agency information they could have played a more constructive role in recent foreign policy development. I said I could appreciate this but pointed out the Director had never refused to testify in executive session on matters within his competence and within the jurisdiction of the Committee involved. As an example, I noted that over half of the Senate had at one time or another been briefed on our involvements in Laos. However I emphasized that we were part of the Executive Branch and the whole question of the handling of classified information between the Executive and Legislative Branches went considerably beyond my competence and probably would have to be resolved in the White House. Gertner spoke of Senator Saxbe's high regard for the Director, and said he would like to get acquainted with the Agency and suggested we have lunch following the recess. STATOTHR

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